

1 AN ACT concerning municipalities.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 5-2-12 and by adding Section 7-3-6.2 as
6 follows:

7 (65 ILCS 5/5-2-12) (from Ch. 24, par. 5-2-12)

8 Sec. 5-2-12. Aldermen or trustees elected at large;
9 vacancies; mayor or president to preside.

10 (a) If a city or village adopts the managerial form of
11 municipal government but does not elect to choose aldermen or
12 trustees from wards or districts, then the following provisions
13 of this Section shall be applicable.

14 (b) The city council shall be elected at large. In cities
15 of less than 50,000 population, the council shall consist of
16 (i) the mayor and 4 councilmen or (ii) the mayor and 6
17 councilmen if the size of the city council is increased under
18 subsection (k). In cities of at least 50,000 but less than
19 100,000 population, the council shall consist of the mayor and
20 6 councilmen. In cities of at least 100,000 but not more than
21 500,000 population, the council shall consist of the mayor and
22 8 councilmen.

23 (c) Except in villages that were governed by Article 4
24 immediately before the adoption of the managerial form of
25 municipal government, the village board shall be elected at
26 large and shall consist of a president and the number of
27 trustees provided for in Section 5-2-15 or 5-2-17, whichever is
28 applicable.

29 (d) The term of office of the mayor and councilmen shall be
30 4 years, provided that in cities of less than 50,000, the 2
31 councilmen receiving the lowest vote at the first election
32 shall serve for 2 years only; in cities of at least 50,000 but

1 less than 100,000, the 3 councilmen receiving the lowest vote
2 at the first election shall serve for 2 years only; and in
3 cities of at least 100,000 but not more than 500,000, the 4
4 councilmen receiving the lowest vote at the first election
5 shall serve for 2 years only.

6 (e) The election of councilmen shall be every 2 years.
7 After the first election, only 2 councilmen in cities of less
8 than 50,000, 3 councilmen in cities of at least 50,000 but less
9 than 100,000, or 4 councilmen in cities of at least 100,000 but
10 not more than 500,000, shall be voted for by each elector at
11 the primary elections, and only 2, 3, or 4 councilmen, as the
12 case may be, shall be voted for by each elector at each
13 biennial general municipal election, to serve for 4 years.

14 (f) In addition to the requirements of the general election
15 law, the ballots shall be in the form set out in Section
16 5-2-13. In cities with less than 50,000, the form of ballot
17 prescribed in Section 5-2-13 shall be further modified by
18 printing in the place relating to councilmen the words "Vote
19 for Two", or "Vote for Three" if the size of the city council
20 is increased under subsection (k), instead of the words "Vote
21 for Four". In cities of at least 50,000 but less than 100,000,
22 the ballot shall be modified in that place by printing the
23 words "Vote for Three" instead of the words "Vote for Four".
24 Sections 4-3-5 through 4-3-18, insofar as they may be
25 applicable, shall govern the election of a mayor and councilmen
26 under this Section.

27 (g) If a vacancy occurs in the office of mayor or
28 councilman, the remaining members of the council, within 60
29 days after the vacancy occurs, shall fill the vacancy by
30 appointment of some person to the office for the balance of the
31 unexpired term or until the vacancy is filled by interim
32 election under Section 3.1-10-50, and until the successor is
33 elected and has qualified.

34 (h) Except in villages that were governed by Article 4
35 immediately before the adoption of the managerial form of
36 municipal government, in villages that have adopted this

1 Article 5 the term of office of the president, the number of
2 trustees to be elected, their terms of office, and the manner
3 of filling vacancies shall be governed by Sections 5-2-14
4 through 5-2-17.

5 (i) Any village that adopts the managerial form of
6 municipal government under this Article 5 and that, immediately
7 before that adoption, was governed by the provisions of Article
8 4, shall continue to elect a mayor and 4 commissioners in
9 accordance with Sections 4-3-5 through 4-3-18, insofar as they
10 may be applicable, except that the 2 commissioners receiving
11 the lowest vote among those elected at the first election after
12 this Article 5 becomes effective in the village shall serve for
13 2 years only. After that first election, the election of
14 commissioners shall be every 2 years, and 2 commissioners shall
15 be elected at each election to serve for 4 years.

16 (j) The mayor or president shall preside at all meetings of
17 the council or board and on all ceremonial occasions.

18 (k) In cities of less than 50,000 population, the city
19 council may, by ordinance, provide that the city council shall,
20 after the next biennial general municipal election, consist of
21 6 instead of 4 councilmen. If the size of the council is
22 increased to 6 councilmen, then at the next biennial general
23 municipal election, the electors shall vote for 4 instead of 2
24 councilmen. Of the 4 councilmen elected at that next election,
25 the one receiving the lowest vote at that election shall serve
26 a 2-year term. Thereafter, all terms shall be for 4 years.

27 (Source: P.A. 87-1119.)

28 (65 ILCS 5/7-3-6.2 new)

29 Sec. 7-3-6.2. Split lots. Notwithstanding any other
30 provision of this Code, the owner or owners of record of a
31 split residential lot may disconnect a portion of the lot which
32 (i) is a residentially zoned and platted lot currently lying
33 partially within the corporate limits of and governed by 2 or
34 more municipalities or lying within the unincorporated area of
35 a county and also within the corporate limits of one or more

1 municipalities, and contains less than 20 acres; (ii) is
2 located on the border of the municipality; and (iii) if
3 disconnected, will not result in the isolation of any part of
4 the municipality from the remainder of the municipality. The
5 owner or owners seeking to disconnect a portion of a split lot
6 from a municipality must petition the court in the manner
7 provided in Section 7-3-6 of this Code. In determining whether
8 a lot shall be disconnected under this Section, the court may
9 consider the following: (i) if disconnected, the growth
10 prospects and planning and zoning ordinances, if any, of the
11 municipality will not be unreasonably disrupted; (ii) if
12 disconnected, no substantial disruption will result to
13 existing municipal service facilities, such as, but not limited
14 to, sewer systems, street lighting, water mains, garbage
15 collection, and fire protection; and (iii) if disconnected, the
16 municipality will not be unduly harmed through loss of tax
17 revenue in the future.

18 An area of land, or any part thereof, disconnected under
19 the provisions of this Section from a municipality which was
20 incorporated at least 2 years prior to the date of the filing
21 of the petition for disconnection shall not be subdivided into
22 lots or blocks within one year from the date of disconnection.
23 A plat of any such proposed subdivision shall not be accepted
24 for recording within such one-year period, unless the land
25 comprising such proposed subdivision shall have been
26 thereafter annexed into a municipality.